

Minutes – February 27, 2014

The following members of the Board were present at the County Commissioners' Meeting Room, Charles County Government Building, for a regular hearing of the Board of License Commissioners: Wayne Magoon, Acting Chairman, Guy N. Black, Thomasina Coates, and William B. Young. Pamela Smith is excused. In addition, Alcohol Enforcement Coordinator Master Cpl. Judith Thompson, Alcohol Inspector Greg Kiesel, Associate County Attorney Matthew Clagett, and Lisa Bailey, Clerk/Recording Secretary, were in attendance.

1. Upon a motion made, duly seconded and unanimously carried, the following temporary alcoholic beverage license application was approved:

Committee to Elect CQK, by Edwin Kelly, Treasurer, for a 1-day temporary ABL to sell/serve Beer Only on Saturday, March 15, 2014 from 1-6 p.m. at 8400 Old Stagecoach Road, La Plata, MD for a fundraiser with approximately 200 people expected to attend.

Grace Lutheran Church and School, by Rebecca Lee Hoffman, for a 1-day temporary ABL to sell/serve BWL on Saturday, March 8, 2014 from 7-11 p.m. at the Family Life Center for a fundraiser with approximately 200 people expected to attend.

Wayne Magoon reiterated the benefits of the State Fire Marshal's Crowd Control on-line Certification program and urged all those interested to take the free on-line course.

BRVFD & RS, by Paul M. Tackish, for a 1-day temporary ABL to sell/serve BWL on Saturday, March 8, 2014 from 6 p.m. to 2 a.m., at the fire house for a Texas Hold'em fundraiser with approx. 50 people expected to attend.

College of Southern Maryland, by: Shaunda Holt, for four (4) 1-day temporary alcoholic beverage licenses to sell/serve Beer, Wine & Liquor on the following dates for various classes at the College of Southern Maryland, with approx. 15 people expected to attend:

February 27, 2014 – Wine & Cheese

March 6, 2014 – Beer Appreciation Course

March 13, 2014 – Girls Night Out – Southern Style

May 8, 2014 – Girls Night Out – Southern Style

2. Asimina Louise Gressis, Ouzo's Greek & Regional Cuisine, Inc., t/a Galazio Restaurant, 6223 Crain Highway, La Plata, Maryland 20646, appeared for a change in location and trade name, for their Class B - BWL (on sale only) alcoholic beverage license, from Asimina Louise Gressis, Ouzo's Greek & Regional Cuisine, Inc., t/a Ouzo's, 68 Drury Drive, La Plata, MD 20646. Counsel to the applicant was Hammad Matin, Esq. Testimony was presented by the applicant, as well as her witness, manager Joseph Gressis, as to the facts contained in the application including evidence that this application is for a change in location and trade name only. Galazio Restaurant will function as a full service restaurant, initially open during the evening dinner hours and weekends. The premises trading as Ouzo will no longer hold an alcoholic beverage license. The applicant also testified that no further change in the type of business is contemplated at this time. Upon a motion duly made, seconded and unanimously carried, the Board approved the change in location and trade name, for the Class B – Beer, Wine

& Liquor (on sale only) alcoholic beverage license from Asimina Louise Gressis, Ouzo's Greek & Regional Cuisine, Inc., t/a Ouzo's, 68 Drury Drive, La Plata, MD 20646.

3. Show Cause in the Matter of the Class D – Beer, Wine & Liquor (on/off sale) alcoholic beverage license issued to Swati Patel, Katherine S. Cooper, Big Mouth Club, LLC, t/a Big Mouth Beer, Wine & Spirits, 2175 Crain Highway, Waldorf, Maryland 20601. Counsel to the licensee was David Martinez, Esq. The Board of License Commissioners rescheduled the hearing in this matter to the next hearing date, March 13, 2014.

4. The matter of the Charges and Show Cause Order issued to Charanjit K. Singh, Robert D. Ryan, Three Nines, Inc., t/a Willett's Discount Liquor and Deli, 10573 Theodore Green Blvd., White Plains, Maryland 20695, alleging illegal service to a minor on November 20, 2013, came before the Board of License. The licensee and alleged server Charan Chennubabi, appeared and were represented by David Martinez, Esq. On behalf of the licensee's, Mr. Martinez, as well as the alleged server Charan Chennubabi, acknowledged receipt of the Charges and Show Cause Order at least ten (10) days prior to the hearing and admitted to the allegation contained in the Show Cause Order. Testimony was presented by M/Cpl. Judith Thompson as to the contents of her police report. Further testimony was presented by the licensee and the server as to the mitigating circumstances involved in this sale, and their previous compliance records and current training policies. Upon a motion duly made, seconded and unanimously carried, the Board ordered that the alcoholic beverage license be suspended for a period of 3 days, two of which are to be held in abeyance for three years, with the suspension to begin at opening of business on Monday, March 3, 2014 and end at close of business on Monday, March 3, 2014; that the licensees be fined Five Hundred Dollars (\$500.00); and that the server be fined Fifty Dollars (\$50.00)

5. Associate County Attorney Matthew Clagett advised the Board members that an Appeal to Circuit Court in the Matter of Thai Seafood has been noted and the County has filed their Intent to Participate.

6. The Board agreed to continue the Work Session on Charles County Board of License Commissioners Rules and Regulations to the next scheduled hearing date, March 13, 2014.

7. Counsel to the Board, Matthew Clagett, told the Board of License Commissioners that he was in receipt of information that may interfere with the Renewal of a few alcoholic beverage licensees. The Board directed the Clerk to prepare a Protest to Renew the alcoholic beverage licenses of the premises trading as Johnny Boy's Ribs, Ironsides Store, and Damon's Restaurant.

8. M/Cpl. Judith Thompson provided the Board with a copy of the Monthly Compliance Report, evidencing the following 9 out of 9 premises inspected having passed:

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| 1. Hunan Star, La Plata | 6. The Liquor Store, Waldorf |
| 2. Mexico Restaurant, WP | 7. Applebee's – Waldorf |
| 3. Waldorf Liquors, Waldorf | 8. Genghis Grill, Waldorf |
| 4. Mama Mia's Pizza, Waldorf | 9. Bunker Hill Inn, Waldorf |
| 5. Holiday Liquors, Waldorf | |

9. M/Cpl. Judith Thompson provided the Board with a copy of the Quarterly Report of

Compliance Check Program for the 4th Quarter, 2013, as well as the Final Report of Compliance Check Program for 2013. The Final Report indicates (among other things) a 15% failure rate for 2013, and a review of the past 9 years of Compliance checks, with an annual high of 53% failure rate in 2005, to a low 15% failure rate for the last 3 years, 2011, 2012, and 2013.

10. The clerk provided the members with information for the MALA Conference, scheduled for May 9-10, with the request that they let her know whether or not they intend to participate.

11. The clerk provided a the Board members with a legislative report detailing alcoholic beverage bills scheduled for hearing on 2/17 at 1:00, as well as a statewide report on alcoholic beverage initiatives.

12. The clerk shared a written notice that the premises trading as Ape Hanger's will be closing for renovations on the building from February 17, 2014 to March 7, 2014, and that an application for transfer is pending to be heard by the Board on March 13.

13. The clerk shared a written notice that the premises trading as Gilligan's Pier Restaurant will be closed for the Season February 5, 2014 through March 14, 2014 with the one exception their Annual Beach Party on February 16.

14. The clerk advised that Scott T. Murphy, Murphy's Pub, Inc., t/a Murphy's Pub at Pier 210, 6971 Indian Head Highway, Bryans Road, Maryland 20616, closed the premises and turned in his license as of February 1, 2014.

With no further business, the meeting adjourned at 11:15 P.M. The next meeting is scheduled for March 13, 2014.